

July 28, 2005

VIA CERTIFIED MAIL

Robert E. Bell, D.O.
16620 South 45th Street
Phoenix, AZ 85048

RE: Letter of Concern, Case No. 3116

Dear Dr. Bell:

At the meeting on June 11, 2005, the Arizona Board of Osteopathic Examiners in Medicine and Surgery ("Board") conducted an investigative hearing on the above-referenced complaint. The complaint alleged, among several other things, that you might have violated Arizona Revised Statutes by over-prescribing medications.

Based on the information presented and your discussion with the Board, the Board found there was insufficient evidence to conclude that your conduct constituted unprofessional conduct or to support direct action against your license. However, the Board voted to issue you this advisory **LETTER OF CONCERN** pursuant to the provisions of A.R.S. 32-1855 (D)(2). The Board was concerned that your lack of documentation of objective need for pain medication could lead to violations of A.R.S. §§ 32-1854 (6), and 32-1854 (38), which state,

"Engaging in the practice of medicine in a manner that harms or may harm a patient or that the board determines falls below the community standard."

"Any conduct or practice that endangers a patient's or the public's health or may reasonably be expected to do so."

In addition, pursuant to A.R.S. § 32-1855 (D)(3), the Board mandated that Dr. Bell obtain 20 hours of CME in the area of pain management within six months of receipt of this letter. CME shall be in addition to that normally required and shall be approved by the Executive Director prior to completion.

A Letter of Concern is a non-disciplinary action that remains part of the public record of your license for five years from the date of issuance (meeting date). During those years it will be provided in response to requests for copies of your license file or verifications of license status, including being posted on the Board's website. It also may be cited in future actions against your license. Because it is not a disciplinary action, it is not reported to the National Practitioner Data Base.

Respectfully,

(Signature on File)

(Board Seal on File)

Jack Confer
Executive Director

JC/s

Copy: Complainant
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